

B-Ville Apartments
c/o Dwight & Charlene Leatherman
P.O. Box 511
Biglerville, PA 17307
December 3, 1995

EPA Region 3
Kathy McCool - (3RC22)
841 Chestnut Bldg.
Philadelphia, PA 19107

Dear Ms. McCool:

We are writing this letter following a telephone discussion with Patti Miller concerning our involvement in the Keystone Landfill Lawsuit brought against 4th party persons.

We are a "family" owned and operated business and handle all aspects of the business ourselves. Our tenants are like family and friends to us. We feel we are being sued unfairly and are unwilling to hire a lawyer. Therefore, Patti suggested I write and give you the following information that I shared with her over the telephone.

What was put in the dumpster by our tenants and hauled to the Keystone Landfill was the same as the ordinary "John Doe" down the street put in. In fact, it was probably less toxic as homeowners frequently do their painting and, of course, our tenants did not. Therefore, if we are being sued, every person who contributed to the landfill should be sued also.

The majority of our tenants are elderly citizens who do not work on vehicles; therefore, they do not discard oil cans, batteries, etc. in the dumpster. All of our apartments (we have 18) with the exception of two, are occupied by one person. How much toxic and hazardous waste can 60-80 year old people possibly generate?

The amount of 1,006 cubic yards, that we have been told we are being charged with is extremely minuscule and shouldn't even be considered when compared with the thousands of tons generated by others involved in the lawsuit. Even this amount is over-inflated as most weeks our dumpster was only about 1/2 full. There were occasions that the weather was bad and the dumpster wasn't emptied for two weeks and we still were generally not overflowing with garbage. I called Mr. Noel and spoke with both him and his manager several times and asked them to dump the dumpster every other week. This was, of course, denied as it would mean less revenue for him.

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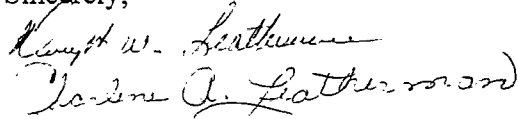
We have also been grouped with medical centers, health-care facilities, service stations, small industries, welding establishments, body shops, aluminum businesses, oil companies, metal manufacturing firms, cabinet makers, etc. Anyone with any knowledge at all knows these companies generate more harmful materials in their waste stream than our tenants could possibly generate with simple household waste.

We have looked through the list of Interrogatories requested by the Fourth-Party Plaintiffs and we honestly do not know what to send. None of the things requested even apply to us or the waste stream created by our apartments.

We sincerely hope Judge Rambo and the EPA will look at the absurdity of this whole scenario and do everything in their power to settle this quickly and fairly. We hope the information obtained in this letter will assist in this direction.

Thank you for your time and consideration.

Sincerely,

The block contains two handwritten signatures in cursive. The first signature is "Dwight W. Leatherman" and the second is "Charlene A. Leatherman".

Dwight W. Leatherman
Charlene A. Leatherman
Owners, B-Ville Apartments

CAL/cal

cc: Judge Sylvia H. Rambo, Chief Judge

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